

Deposition of Cornelius Vanderham

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF FRESNO

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4 KASINER FARMS, f/k/a KASINER)
 5 CONSULTING AND FARM MANAGEMENT; FOUR) NO. 12CECG00907
 6 CORNERS CUSTOM FARMING; WEST HILLS)
 7 GYPSUM,)

8 Plaintiffs,)

9 -vs-)

10 J&D WILSON AND SONS DAIRY; JIM)
 11 WILSON; CORNELIUS VANDERHAM; DOES)
 12 1-10,)

13 Defendants.)

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19 Fresno, California

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July 3, 2012

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The deposition of CORNELIUS VANDERHAM was taken in the above-entitled matter pursuant to all of the provisions of law pertaining to the taking and use of depositions before Theresa K. Hansen, CSR, with offices at Fresno, California, commencing at the hour of 9:04 a.m. at the law offices of Kevin G. Little, 470 East Herndon, Suite 102, Fresno, California.

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<p>1 Exhibit Number 1.</p> <p>2 A. If this is the one that names me in the suit.</p> <p>3 Q. You might be talking about the complaint that</p> <p>4 initiated the lawsuit. This is what's called a notice of</p> <p>5 deposition.</p> <p>6 A. I did not get this, no.</p> <p>7 Q. Okay.</p> <p>8 A. I only got the one -- one thing that was hand-</p> <p>9 delivered at the house.</p> <p>10 Q. Okay. Great. All right. Well, this notice of</p> <p>11 deposition simply requires your appearance here today, which</p> <p>12 obviously you've compiled with. It also requested, on page</p> <p>13 three, six categories of documents.</p> <p>14 Do you have any documents that you've brought with</p> <p>15 you?</p> <p>16 A. Pertaining to what?</p> <p>17 Q. To this lawsuit.</p> <p>18 A. Documents?</p> <p>19 Q. Yes, sir.</p> <p>20 A. I just have this paper here in front of me, that's</p> <p>21 all.</p> <p>22 Q. I think I've been given a copy of that. I'll just</p> <p>23 clarify with your counsel.</p> <p>24 Are these the only documents that you produced</p> <p>25 today?</p>	<p>1 pertains to this dairy?</p> <p>2 A. No.</p> <p>3 Q. Okay. Do you operate any other dairies?</p> <p>4 A. Yes.</p> <p>5 Q. Can you identify those?</p> <p>6 A. Yeah. What do you -- what do you --</p> <p>7 Q. Just tell me the name.</p> <p>8 A. L&J Vanderham. It's also a partnership.</p> <p>9 Q. And that does business out of what location?</p> <p>10 A. Riverdale.</p> <p>11 Q. Any others?</p> <p>12 A. D&V Dairy.</p> <p>13 Q. Where is that operated?</p> <p>14 A. Tipton.</p> <p>15 Q. Tipton.</p> <p>16 A. And Dick Vanderham And Sons.</p> <p>17 Q. Where does that operate from?</p> <p>18 A. Tipton.</p> <p>19 Q. How long in total have you been in the dairy</p> <p>20 business?</p> <p>21 A. Myself? 49 years.</p> <p>22 Q. There were some written questions that were sent</p> <p>23 about a month and a half ago in this lawsuit, that's referred</p> <p>24 to as discovery.</p> <p>25 Specifically, we asked some written questions and</p>
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<p>1 MR. IDE: Yeah, those are actually produced in</p> <p>2 response to questions that you had questioned of Mr. Wilson.</p> <p>3 MR. LITTLE: Very well. And there are no</p> <p>4 additional documents in response to these six categories</p> <p>5 today?</p> <p>6 MR. IDE: No. None specifically as to ones I've</p> <p>7 objected to yesterday, in terms of -- like I said, I don't</p> <p>8 know what exhibits I'm going to bring to trial.</p> <p>9 MR. LITTLE: Very well. I understand we're still</p> <p>10 pretty early in the game, but no harm in asking, I'm</p> <p>11 assuming.</p> <p>12 BY MR. LITTLE:</p> <p>13 Q. All right. Now, it's my understanding, sir, that</p> <p>14 you're a partner in J&D Wilson And Sons Dairy. Is that</p> <p>15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. And have you been a partner in that dairy since its</p> <p>18 inception 12 years ago?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. You were characterized yesterday by</p> <p>21 Mr. Wilson as, more or less, a silent partner in this dairy</p> <p>22 operation.</p> <p>23 Would you agree with that assessment?</p> <p>24 A. Yes.</p> <p>25 Q. Do you have any day-to-day responsibilities as</p>	<p>1 we sent in some written requests for documentation. I</p> <p>2 noticed that those responses, which I have received from your</p> <p>3 counsel, were not verified by yourself.</p> <p>4 Have you answered any discovery questions in this</p> <p>5 lawsuit?</p> <p>6 A. No, I haven't.</p> <p>7 Q. Okay. Let me just address this to your counsel.</p> <p>8 Is that an issue that's going to be addressed?</p> <p>9 MR. IDE: It could be. I guess I misread your</p> <p>10 deposition responses. They weren't addressed to any</p> <p>11 particular person. And you just addressed to all defendants,</p> <p>12 correct?</p> <p>13 MR. LITTLE: Right. Of which he is one. Right.</p> <p>14 MR. IDE: I mean, if you'd like, we can prepare</p> <p>15 discovery responses, but they're going to be identical to the</p> <p>16 ones you've already received.</p> <p>17 MR. LITTLE: Okay. Well, that's -- that's fine.</p> <p>18 MR. IDE: We can do that, certainly.</p> <p>19 MR. LITTLE: You know, just for completeness sake,</p> <p>20 or if he's just going to verify the ones that we've got to</p> <p>21 the -- I don't know if he's able to do that, but to the</p> <p>22 extent that he might --</p> <p>23 MR. IDE: He probably can't as to this particular</p> <p>24 transaction.</p> <p>25 MR. LITTLE: Very well.</p>